

## REMARKS/ARGUMENTS

The Examiner is thanked for the performance of a thorough search.

By this amendment, Claims 1, 5, 7, 8, 10-14, 18, 20, 21 and 23-26 are amended, and no claims are added or canceled. Hence, Claims 1, 3-14, and 16-26 are pending in the application.

### **I. SUMMARY OF THE REJECTIONS**

Claims 1, 3-8, 14, 16-22, and 24-26 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,896,491 issued to Englefield ("*Englefield*") in view of U.S. Patent No. 6,272,484 issued to Martin et al. ("*Martin*"). This rejection is respectfully traversed.

Claims 9-13 and 23 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Englefield* in view of *Martin*, and further in view of U.S. Patent No. 2002/0023004 to Hollander et al. ("*Hollander*"). This rejection is respectfully traversed.

### **II. THE REJECTIONS BASED ON THE CITED ART**

Claims 1, 3-8, 14, 16-22, and 24-26 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Englefield* in view of *Martin*.

#### **A. CLAIM 1**

Claim 1 recites:

A method of depicting a plurality of items and how said plurality of items satisfy multiple criteria, the method comprising the computer-implemented steps of:  
a browser receiving a self-contained page; and

**in response to executing said self-contained page, said browser performing the steps of:**

generating a display of a list of visual indicators in a particular order,  
wherein the particular order indicates how said plurality of items satisfy a first criteria;

**detecting input indicating the selection of a second criteria;**

**in response to detecting said input, determining, without said browser having to interact over a network with a server, how said plurality of items satisfy the second criteria;** and while retaining said list of visual indicators in said particular order within said display, **displaying a visual indication of how said plurality of items satisfy the second criteria.** (emphasis added)

The combination of *Englefield* and *Martin* fails to teach or suggest all the features of Claim 1.

1. *The cited art fails to teach or suggest a browser performing steps in response to executing a self-contained page*

On page 3, the Office Action concedes that “Englefield fails to teach a browser receiving a self-contained page; which does not have to interact over a network with a server.” It is respectfully submitted that *Englefield* fails to teach more than that recited in Claim 1. The Office Action then cites col. 8, lines 17-42 and col. 9, lines 10-38 of *Martin* for teaching “a browser receiving a self-contained page, and does not have to interact over a network with a server.” *Martin* merely teaches that a thumbnail image of a webpage is created and stored on a computer. Subsequently, the thumbnail image may be retrieved from the computer without accessing the corresponding webpage over the Internet. *Martin* may teach that a thumbnail image (i.e., the alleged “self-contained page” of Claim 1) is **viewed**, but *Martin* fails to teach or suggest that the thumbnail image is **executed**. Indeed, there is no way for a browser that is displaying a thumbnail image to detect input indicating the selection of one or more second criteria; nor is it possible for a browser displaying a thumbnail image to determine how a plurality of items satisfy any criteria.

Based on the foregoing, *Englefield* and *Martin* fail to teach or suggest, both individually and in combination, all the features of Claim 1. Therefore, Claim 1 is patentable over *Englefield* and *Martin*. Reconsideration and withdrawal of the rejection of Claim 1 under 35 U.S.C. § 103(a) is therefore respectfully requested.

2. *One of ordinary skill in the art would not combine Englefield and Martin*

Regardless of whether *Englefield* and *Martin* individually teach or suggest all the features of Claim 1, one of ordinary skill in the art would not combine *Englefield* and *Martin*. After citing *Martin* for disclosing certain features of Claim 1, the Office Action asserts, “Therefore, it would have been obvious to an artisan at the time of the invention to combine the teaching of Martin with the method of Englefield. Motivation to do so would have been to provide a way to review a url without having to go online and access the Internet” (page 3; emphasis added). This is incorrect. MPEP § 2143.01(IV) requires “some objective reason to combine the teachings of the references.” There is no reason to combine *Englefield* and *Martin* because, other than discussing computer systems, *Englefield* and *Martin* are completed unrelated to each other. *Englefield* teaches a method for a user to select (a) an icon that represents an operation and (b) multiple data items, after which the operation is applied to the data items. In contrast, *Martin* teaches a system for: (1) generating a thumbnail image of a webpage; (2) storing the thumbnail image; (3) associating (a) the URL of the webpage and (b) the storage location of the thumbnail image on a computer with the thumbnail image; and (4) allowing a user to view the webpage or the thumbnail image upon selection of the thumbnail image.

Furthermore, the alleged motivation provided in the Office Action has nothing to do with *Englefield*. *Englefield* mentions nothing about URLs, webpages, networks, the Internet, or being “online.” Ultimately, the Office Action fails to articulate a sufficient reason why one of ordinary skill in the art would combine *Martin* with *Englefield*.

## B. CLAIM 11

In rejecting independent Claim 11, the Office Action states, “Claim 11 is similar in scope to that of claim 10, and is therefore rejected under similar rationale” (page 7). It is respectfully noted that the last Office Action stated that “Claim 11 is similar in scope to that of claim 1.” Also, Claim 11 does not recite anything about detecting third input that indicates the selection of one or more third criteria. Therefore, it is assumed that the present Office Action intended to state that “Claim 11 is similar in scope to that of claim 1”; not claim 10.

Simply because Claims 1 and 11 have similar scope does not mean that Claims 1 and 11 have identical scope. In fact, Claim 11 includes **numerous features** that are absent from Claim 1, such as the steps of generating the recited first, second, third, and fourth page elements that cause or enable a browser to perform certain actions. The Office Action fails to cite any portion of *Englefield* and *Martin* for disclosing these features of Claim 11 that are not found in Claim 1. Indeed, *Englefield* and *Martin* fail to teach or suggest any of these features of Claim 11 that are not found in Claim 1.

In an Office Action “the particular part relied on must be designated as nearly as practicable ...” (37 C.F.R. § 1.104, MPEP § 707). The failure to specify any specific part of *Englefield* or *Martin* that correlates to multiple elements in Claim 11 is tantamount to admitting that *Englefield* and *Martin* fail to teach all the limitations of Claim 11. Reconsideration and withdrawal of the rejection of Claim 11 is therefore respectfully requested.

If the Examiner intends to issue another Office Action, then that Office Action should be **non-final** so as to enable the Applicant an opportunity to respond and, if required, amend Claim 11.

### C. CLAIMS 14 AND 24

Independent Claims 14 and 24 are computer-readable storage medium claims that recite the features of Claims 1 and 11 that render Claims 1 and 11 patentable over *Englefield* and *Martin*. Thus, each of Claims 14 and 24 is patentable over *Englefield* and *Martin* for the same reasons given above with respect to Claims 1 and 11.

### D. REMAINING CLAIMS

Claims 3-10, 12-13, 16-23, and 25-26 are dependent claims, each of which depends (directly or indirectly) on the claims discussed above. Each of Claims 3-10, 12-13, 16-23, and 25-26 is therefore patentable over the cited art for at least the reasons given above for the claim on which it depends. In addition, each of Claims 3-10, 12-13, 16-23, and 25-26 introduces one or more additional limitations that may render it independently patentable. For example,

#### 1. Claim 8

Claim 8 depends on Claim 1 and additionally recites:

the step of detecting input indicating the selection of one or more second criteria includes **detecting input selecting a particular category** of a plurality of categories; and  
the step of displaying a visual indication of how said plurality of items satisfy the one or more second criteria includes **displaying a visual indication of which items** of said plurality of items **belong to said particular category**. (emphasis added)

The Office Action cites col. 14, lines 38-56 and col. 15, lines 28-43 of *Englefield* for disclosing these features of Claim 8. This is incorrect. The first cited portion merely teaches that each of multiple highlighter pen icons represents a different operation that may be performed on a set of values and that one of those operations is the RANK operation. The second cited portion merely teaches that the operation corresponding to one of the highlighter pens is executed against values that a user selects with the highlighter pen and that graduated shading of the

background of each selected value may be used to indicate, e.g., the rank of the corresponding value relative to other selected values.

Nothing in these cited portions can be equated to the recited particular category. Indeed, the Office Action fails to equate any element in the cited art with the recited particular category. Perhaps the Office Action meant to equate the operations RANK, TREND, and AVERAGE of *Englefield* with the recited particular category of Claim 8. However, such a correlation cannot be made because it does **not** make sense for values to belong to operations. In short, items belong to categories but not to operations. Therefore, the combination of *Englefield* and *Martin* fails to teach or suggest “displaying a visual indication of which items of said plurality of items belong to said particular category” as recited in Claim 8.

## 2. Claim 12

Claim 12 depends on Claim 11 and additionally recites:

**the steps further include issuing a query to a database system that stores information about said plurality of items**, wherein said query requests data that is used to determine which set of items of said plurality of items satisfy a first criterion of said plurality of criteria;  
receiving results of the query from the database system; and  
wherein the step of generating third page elements is based on an examination of the results. (emphasis added)

The Office Action cites col. 4, lines 43-64 of *Englefield* for allegedly disclosing the above-bolded portion of Claim 12. This is incorrect. This cited portion merely refers to a software application (which may be one of two types data processing applications), a data processing system, and an operating system. The software application that displays the information in FIGs. 3A-D of *Englefield* does not issue any query, much less issue a query to a database system. Indeed, *Englefield* fails to even mention a database system.

The Office Action also cites col. 14, lines 38-56 and col. 15, lines 28-43 of *Englefield* (discussed above) for allegedly disclosing “receiving results of the query from the database

system” as recited in Claim 12. Indeed, those cited portions mention nothing about issued queries or database systems. Therefore, *Englefield* cannot teach or suggest that results of a query are received from a database system.

Due to the fundamental differences already identified and to expedite the positive resolution of this case, a separate discussion of those limitations is not included at this time. The Applicant reserves the right to further point out the differences between the cited art and the novel features recited in the dependent claims.

### III. CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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